

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 19**

HONEYWELL INTERNATIONAL, INC.

Employer

and

Case 19-RC-14018

INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, LOCAL 690,
affiliated with INTERNATIONAL
BROTHERHOOD OF TEAMSTERS,
AFL-CIO

Petitioner

DECISION AND DIRECTION OF ELECTION

Upon a petition duly filed under Section 9(c) of the National Labor Relations Act, as amended, a hearing was held before a hearing officer of the National Labor Relations Board, hereinafter referred to as the Board.

Pursuant to the provisions of Section 3(b) of the Act, the Board has delegated its authority in this proceeding to the undersigned.

Upon the entire record¹ in this proceeding, the undersigned finds:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.

2. The Employer is engaged in commerce within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction herein.

3. The labor organization involved claims to represent certain employees of the Employer.

4. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.

5. The following employees of the Employer constitute a unit appropriate for the purpose of collective bargaining within the meaning of Section 9(b) of the Act:

¹ The parties filed briefs, which have been considered.

All production and maintenance employees employed by the Employer at its Spokane, Washington, facilities; but excluding all office clerical employees, guards and supervisors as defined by the Act, and all other employees.

FACTS

The Employer is engaged in the manufacture of metals and metal products for the electronics industry at two facilities (“Euclid” and “N-1”, herein) in Spokane, Washington, as well as a facility in Cheney, Washington, and other facilities in other states. Only the two Spokane facilities are involved herein. Petitioner seeks a unit of all employees employed in the Targets Department in the Euclid facility, but not the other Euclid employees, or any N-1 employees. The Employer contends that the only appropriate unit is one which includes all production and maintenance employees in the Euclid and N-1 facilities.

The two Spokane facilities, along with the Cheney facility (about 15 miles away), are under the overall direction of operations manager Tim Field. Reporting directly to Field are four production departments and the facilities (maintenance) department. Greg Johnson is production manager in Targets. Mike Bossio is production manager in Vectra, Pure Metals and IR.² Bryan Powers is production manager in Plated/Discrete (“PDP”), and Thermal. Barb Olsen is supervisor in Shipping. Jack Holt is facilities manager, and, reporting to Holt is Kevin Knodel, maintenance manager.

Euclid consists of four adjoining buildings and three other buildings. Production and maintenance employees are employed only in the four adjoining buildings. The Targets Department (“Targets”) is confined to one of those adjoining buildings, Building 5. The PDP is housed in Building 1, which shares a wall with building 5. N-1 is a single building located about one-half mile from Euclid, and houses the Vectra group.

In Targets, six supervisors report to Johnson. Each supervisor has a number of employees working under them. Targets Employees include seven journeyman machinists, 39 machinists, 10 machine operators, six utility operators, eight material control/inventory specialists, ten hot press operators, 13 bonding operators, two water jet operators, four plating operators, ten melt/cast operators, 25 packaging and clean room operators, 23 process operators, and 12 inspectors. There is a total of about 169 employees in Targets.

In PDP under Powers, there are two superintendents who have lower level supervisors reporting to them. In addition, there are three supervisors who report directly to Powers. Employees report to the supervisors. Employees there include 25 clean room operators, 23 plating operators, three maintenance operators, ten inspectors, eight punch press operators, a lab specialist, four inventory employees, six punching operators, a gold recovery employee, nine rolling machine operators, eleven punching machine operators, seven packaging operators, a ribbon machine operator, three melt/cast operators, three utility operators, eight extrusion press operators, 17 front/back end machine operators, five final quality inspectors, four tool and die maintenance employees, four tool and die machinists, two material control employees, a material handler, and two production coordinators. There is a total of about 158 employees in the PDP.

² Undefined in the record.

In the N-1 building, in the Vectra group, there are four supervisors under Bossio. Reporting to them are 12 pure metals operators, one journeyman machinist, three production operators, four machinists, and one crystal growth technician; a total of 21 employees.

In addition, among the maintenance employees reporting to Kevin Knodel are six electricians, five general maintenance employees, three plumbers, three HVAC employees, two carpenters, four millwrights, and three journeymen machinists, a total of 26. The Maintenance Department serves all other departments, including Targets.

Targets makes objects called “sputtering targets”, which are from seven inches up to 18 inches in diameter. The record does not otherwise reveal the shape or dimensions of sputtering targets. They are used by the Employer’s customers, who are semi-conductor companies such as Intel, Motorola, Samsung, and Phillips, in a device called a sputtering machine. The machine is used to bombard the surface of the sputtering target in order to drive atoms from the Target department and deposit them onto a silicone wafer, to build up layers in the manufacture of silicone chips.

In order to properly use the sputtering machine, the Employer’s customers must purchase, in addition to targets, objects called coils, pins, and cups, which surround the sputtering target inside the machine so that the atoms are more focused as they get sputtered onto the silicone wafers. Coils, pins, and cups are manufactured by the Vectra department in N-1. They are packaged and sold separately from the sputtering targets.

PDP makes products used to finish off the packaging³ and to close and encapsulate individual silicone chips; these parts combine with the material and permanently fix the chip into the package, and create the interconnection for the package where the silicone chip is to connect to a circuit board. Many PDP customers are also Targets customers.

In all production departments, the basic process follows a similar pattern. Raw materials, in the form of ingots of metal or powders of metal, are received, and then combined by melting into alloys, such as aluminum with one percent silicone, or one percent copper. Next, the initial “chunk” of materials is given rough shape by rolling to make it long and narrow, or to decrease the thickness and increase the diameter. It will be heat treated to give it certain metallurgical characteristics, such as the size of the crystals inside the material. These processes may be repeated, to get the object closer to the final desired dimensions.

Once the object is shaped into the desired dimensions, it is machined, which involves removing part of the metal to create the desired shape. Once that is achieved, the object may be coated with nickel or copper, or its surfaces may be cleaned to permit the joining of parts, which may require that the objects go back and forth between metal forming, machining, and chemical processing, until a tight bond can be accomplished.

The object is then tested to verify the integrity of the combined materials, and to check all dimensions. The final steps are cleaning and packaging for shipping, and then shipping.

³ This refers to the exterior of the product, not to a disposable wrapper for shipping or point-of-sale purposes.

Both Targets and the PDP have rolling mills and heat treatment furnaces. Both have casting equipment. Most of the casting done in Targets involves aluminum alloys, and 90 percent of the aluminum castings used in PDP's aluminum wiring products were cast in Targets.

There are several computer numerically controlled (CNC) machines in Targets. No other department in the Euclid facility has such machines, although there may be one in the N-1 facility. CNC machines are operated by machinists, and require special training and skills. The record does not reveal how many of the employees in Targets have such training and skills, or how many CNC machines are in Targets. Targets has a very large punch press; other departments have only smaller ones. The large press requires a higher level of skill to operate. A witness compared operating the press in Targets to driving a big mining dump truck, while equating operating the presses in the other departments to driving a Volkswagen.

There is also a coordinate measuring machine (CMM) in Targets, used for inspection purposes. This is described in the record as being a very expensive machine, and apparently is the only such machine in the Euclid facility. Employees from either N-1 or PDP use the Targets CMM for approximately one hour per day. Two employees from N-1 use the Targets clean room once or twice a week to perform work on N-1 products. There are vacuum casters located in an area of Building 1 which is accessible to the Targets area by a door. That area is used in total about 50 percent of the time, and of that, about half the use is by Targets employees and about half by PDP employees. There is no evidence that employees from those two departments ever use the vacuum casting area at the same time. PDP uses the vacuum casters to produce certain castings for Targets, including small batches of aluminum targets, solder materials for bonding, and all of the precious metal targets. These castings are then finished in Targets.

There is record testimony that some production jobs, particularly the machinist jobs in the Targets area, require special training and skills. There is no evidence with respect to the specific skills required for any of the production jobs, including the machinists.

The Employer's centralized human resources department ("HR") actively participates in all hiring, firing, and disciplinary decisions. Applicants are interviewed for specific jobs. For example, an applicant might be interviewed and hired as a machinist in Targets, but would not be hired as a machinist and then assigned to Targets. Departmental supervisors, along with a representative of HR, and sometimes a hiring team including a few rank-and-file employees, conduct the interviews of prospective new hires, and make hiring recommendations to HR, which makes the final decisions. Thus, if there were an opening for a machinist in Targets, supervisors (and perhaps rank-and-file employees), in Targets would interview the candidates and make the recommendation. This is true whether the job candidates are external applicants or are current employees seeking a transfer. The record does not reveal what prior training and skills are required of candidates for any position.

In the year 2000, thus far ten employees have transferred into Targets from other departments, either from the Cheney facility (five) or from PDP (four), or, in one case, from Health and Safety. During the same time period, five Targets employees transferred to jobs in other departments. All such transfers were on a voluntary basis. There is no evidence that any involuntary transfers have occurred.

There is no evidence of any regular temporary interchange between Targets employees and employees in other departments. Three tool and die employees previously worked in Targets, and on at least one occasion they were sent from tool and die to work for about a week in Targets, when there was a temporary heavy workload there. Those three were selected because of their

prior experience in Targets. There is no evidence of any regular, day-to-day work contacts between Targets employees and employees in other departments.

The multi-building complex at Euclid is accessible from the outside by only one door, located in Building 4, where there is a turnstile and a security guard. Targets employees en route to Building 5 must then walk through hallways in Building 4, then down a long hallway in Building 1 to reach their work area. In so doing, they pass the work areas of other departments, such as PDP, but do not walk through the work areas of those departments. A locker room which is shared by all production employees is located in Building 4, near the facility entrance.

There is a single main lunchroom in the facility, located in an area of Building 6 adjacent to Building 1. The commonly used restrooms are in that area also. Employees in all departments eat in the lunchroom, but there is no evidence whether they commingle while doing so. Plant-wide meetings are held in the lunchroom every month or two. There are also departmental meetings and meetings of smaller groups of employees within any particular department conducted there on a regular basis.

The evidence with respect to the specific skills possessed by the various classifications of employees is vague. There is testimony that employees in the same classification, such as, for example, machine operator, have the same skills no matter which department they are in. The Employer offers an apprenticeship program for machinists. Training is otherwise acquired on-the-job. Any employee who moves to a new machine must first have safety training on that machine. There is no evidence that employees in Targets, as a group, have any distinctive training or skills different from other employees.

All employees receive the same benefits and are subject to the same personnel policies. Specific small groups of employees within any department may wear identical tee shirts. The members of the group select the design, and the Employer provides the shirts. No specific clothing is required of any employees, except those who work in the various clean rooms and are required to wear white "bunny suits" in those rooms.

The same wage scales are applicable to all employees. Throughout the facilities, general operators are paid \$8.00 to \$10.00 per hour; machine operators are paid \$8.00 to \$14.00 per hour; machinists are paid \$13.00 to \$18.00 per hour; material control handlers are paid \$9.00 to \$12.00 per hour, metal formation or melt/cast employees are paid \$10.00 to \$18.00 per hour; inspection operators are paid \$8.00 to \$10.00 per hour; final inspection employees are paid \$9.75 to \$12.00 per hour; and clean room and packaging employees are paid \$8.00 to \$10.00 per hour.

ANALYSIS

The Board has found separate departmental units appropriate in some cases, although it is relatively uncommon in manufacturing plants. In *Bally's Park Place*, 255 NLRB 63 (1981), the Board found a separate unit of slot machine employees to be appropriate, where those employees had distinctive skills and duties, there was no temporary interchange with other casino employees, and they had separate immediate supervision by a department manager who hired, fired, and disciplined the employees. In *Cone Mills*, 187 NLRB 759 (1971), the Board found a separate unit of screen print department employees in a textile processing plant to be appropriate where they had separate supervision, separate departmental seniority, different skills and duties, and there was no significant interchange with production and maintenance employees. Moreover, the balance of the plant could operate totally independently of the screen print department. In *Noranda Aluminum*, 186 NLRB 217 (1970), the Board declined to find a separate unit of wire and

cable plant employees. In that case, the wire and cable plant employees were in a separate building, where they had their own lunchroom, restrooms, and shower room. Some molten aluminum would be transplanted from the reduction area immediately to the cable/ware area as a raw material for that department's products. The balance would be made into ingots and shipped to other facilities. The wire/cable employees produced a separate product and had different job functions from other employees. However, the Board found it more compelling that the entire facility was administratively and managerially integrated, and that other employees had comparable skills and training. The Board found that only a facility-wide production and maintenance unit would be appropriate.

Thus, the Board has found separate departmental units to be appropriate where the sought-after employees had skills and duties different from other employees, and lacked integration with the rest of the plant, and found such units inappropriate where there was no significant distinction in skills and duties, or substantial integration of operations.

Here, the Targets employees make a separate product. Their work is not totally integrated with the work of other production employees; they work in a separate area under separate immediate supervision and there is no regular temporary interchange with other employees.

On the other hand, Targets employees do not have distinctive job skills and duties. While those machinists who operate the CNC machines, and employees who operate the large punch press, may have a higher level of skills than other machinists, not all or even a majority of the Targets employees have those higher skills.

The Euclid facility, along with the N-1 facility, as a whole is integrated in that there is a common wage scale, common benefits, and common personnel policies administered by the human resources department, which plays a significant role in hiring and other personnel actions, such as firing and discipline. Further, even though the work area of the Targets Department is separate from the rest of the Euclid facility, Targets employees share the lunchroom, locker room, and restroom facilities with the other production employees. The same maintenance department serves Targets and the other departments, and presumably the same is true of Shipping.

There is a fair, albeit not overwhelming, degree of functional integration, in that Targets casts aluminum for PDP and PDP makes small aluminum castings, solder materials, and precious metal targets for Targets. Targets and PDP employees use the same vacuum castings machines, and non-Targets employees use the Targets CMM machine and clean room. Further, the manufacturing process followed in Targets is the same or similar to the process followed in other areas.

In all of these circumstances, I conclude that the Targets Department employees do not have separate interests such that they can form a separate appropriate unit. In the end, there is little to distinguish them from the balance of the plant, except they make different things. I find that the minimum appropriate unit here is one which includes all production and maintenance employees employed by the Employer at its Euclid and N-1 facilities in Spokane, Washington.⁴

⁴ No party contends that a production and maintenance unit excluding the N-1 employees is an appropriate unit.

There are approximately 374 employees in the Unit.⁵

DIRECTION OF ELECTION

An election by secret ballot shall be conducted by the undersigned among the employees in the unit found appropriate at the time and place set forth in the notice of election to be issued subsequently, subject to the Board's Rules and Regulations. Eligible to vote are those in the unit who were employed during the payroll period ending immediately preceding the date of this Decision, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. Also eligible are employees engaged in an economic strike which commenced less than 12 months before the election date and who retained their status as such during the eligibility period and their replacements. Those in the military services of the United States may vote if they appear in person at the polls. Ineligible to vote are employees who have quit or been discharged for cause since the designated payroll period, employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and employees engaged in an economic strike which commenced more than 12 months before the election date and who have been permanently replaced. Those eligible shall vote whether or not they desire to be represented for collective bargaining purposes by INTERNATIONAL BROTHERHOOD OF TEAMSTERS, LOCAL 690, affiliated with INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AFL-CIO.

NOTICE POSTING OBLIGATIONS

According to Board Rules and Regulations, Section 103.20, Notices of Election must be posted in areas conspicuous to potential voters for a minimum of three working days prior to the date of election. Failure to follow the posting requirement may result in additional litigation should proper objections to the election be filed. Section 103.20(c) of the Board's Rules and Regulations requires an employer to notify the Board at least 5 full working days prior to 12:01 a.m. of the day of the election if it has not received copies of the election notice. *Club Demonstration Services*, 317 NLRB 349 (1995). Failure to do so estops employers from filing objections based on nonposting of the election notice.

LIST OF VOTERS

In order to assure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties to the election should have access to a list of voters and their addresses that may be used to communicate with them. *Excelsior Underwear*, 156 NLRB 1236 (1966); *NLRB v. Wyman-Gordon Co.*, 394 U.S. 759 (1969). Accordingly, it is hereby directed that an election eligibility list, containing the alphabetized full names and addresses of all the eligible voters, must be filed by the Employer with the Regional Director for Region 19 within 7 days of the date of this Decision and Direction of Election. *North Macon Health Care Facility*, 315 NLRB 359, 361 (1994). The list must be of sufficiently large

⁵ Inasmuch as I have found appropriate a unit larger than that requested by Petitioner, in accordance with established Board practice, I shall allow Petitioner fourteen (14) days from the date of this Decision and Direction of Election in which to perfect its 30 percent showing of interest. In the event Petitioner does not establish a proper showing of interest in the larger unit within the 14-day period, I shall dismiss the petition, unless it is withdrawn. Petitioner stated at hearing that it is willing to go to election in any unit found appropriate.

type to be clearly legible. The Region shall, in turn, make the list available to all parties to the election.

In order to be timely filed, such list must be received in the Regional Office, 915 Second Avenue, 29th Floor, Seattle, Washington 98174, on or before November 8, 2000. No extension of time to file this list may be granted except in extraordinary circumstances, nor shall the filing of a request for review operate to stay the filing of such list. Failure to comply with this requirement shall be grounds for setting aside the election whenever proper objections are filed. The list may be submitted by facsimile transmission to (206) 220-6305. Since the list is to be made available to all parties to the election, please furnish a total of 4 copies, unless the list is submitted by facsimile, in which case only one copy need be submitted.

RIGHT TO REQUEST REVIEW

Under the provisions of Section 102.67 of the Board's Rules and Regulations, a request for review of this Decision may be filed with the National Labor Relations Board, addressed to the Executive Secretary, 1099 14th Street N.W., Washington, D.C. 20570. This request must be received by the Board in Washington by November 15, 2000.

DATED at Seattle, Washington, this 1st day of November, 2000.

/s/ PAUL EGGERT

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